

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

OCTAVIO MIRANDA-PEREZ,

Defendant.

No. 2:09-CR-6080-EFS

**ORDER GRANTING THE USAO'S MOTION
TO DISMISS**

Before the Court, without oral argument, is the U.S. Attorney's Office's (USAO) Motion to Dismiss Indictment and Quash Warrant, ECF No. 10. The USAO seeks the Court's leave to dismiss the Superseding Indictment, ECF No. 5, without prejudice as to Defendant Octavio Miranda-Perez pursuant to Federal Rule of Criminal Procedure 48(a). The USAO also moves to quash the arrest warrant of the Defendant. Having reviewed the pleadings filed in connection with the motion, the Court grants the USAO leave to dismiss the Superseding Indictment. The Court makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**

1. The USAO's Motion to Dismiss Indictment and Quash Warrant, **ECF No. 10**, is **GRANTED**.
2. The Superseding Indictment, **ECF No. 5**, is **DISMISSED WITHOUT PREJUDICE** as to Defendant Octavio Miranda-Perez.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals Service.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge